

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

APR -4 PM 2:47
U.S. DISTRICT COURT
N.D. OF ALABAMA

WEIS-BUY SERVICES, INC.,

Plaintiff,

vs

ROY J. BEARDEN, JR., also known as
JUNIOR BEARDEN, individually and
d/b/a J & J TOMATO,

Defendant.

CIVIL ACTION NO. 00-RRA-2007-S

EW
ENTERED

APR -4 2001

MEMORANDUM OPINION

On March 6, 2001, the court dismissed with prejudice plaintiff Weis-Buy Services, Inc.'s complaint against defendant Roy J. Bearden. At the same time, the court ordered an entry of default against Weis-Buy on Bearden's counterclaim. The magistrate judge then set a hearing for April 4, 2001, for Bearden to prove damages. At that time, Bearden presented an affidavit with exhibits.¹

The court has considered Bearden's submissions in support of his claim for damages, and it is hereby found that Roy J. Bearden, Jr. is due \$584,429.28 on his counterclaim against Weis-Buy Services, Inc. A final judgment in accordance with this memorandum opinion will be entered.

DONE this 4th day of April, 2001.

William M. Acker, Jr.

William M. Acker, Jr.
United States District Judge

¹These submissions are in the court file.

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